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*NOT ADMITTED IN VA

March 31, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

**Re: Notice of *Ex Parte* in WC Docket No. 11-42; CC Docket No. 96-45;
WC Docket No. 03-109; Smith Bagley, Inc.**

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above captioned proceedings. On March 30, 2011, undersigned counsel for Smith Bagley, Inc., met with Kimberly Scardino, Jamie Susskind, and Rebekah Bina, Attorney Advisors in the Telecommunications Access Policy Division of the Wireline Competition Bureau ("Bureau"), David Siehl, Attorney Advisor in the office of Public Safety and Homeland Security, and Irene Flannery, Deputy Chief of the Office of Native Affairs and Policy.

We discussed issues relating to the notice of proposed rulemaking in the above captioned dockets including the importance of the Lifeline program in tribal areas given the poverty and geographic isolation faced by many tribal residents. Specifically, we discussed conditions in tribal areas served by Smith Bagley, Inc. including the absence of a uniform system of rural addressing in large areas of the Navajo Nation. We discussed the fact that in Navajo areas it is not uncommon to have multiple physical dwellings at a given location, and that multiple households may be present within a single dwelling. We discussed the difficulty of performing physical inspections and interviews necessary to identify the number of households at a given location. Further, we expressed concern that restricting Lifeline support to situations where a carrier can establish beyond a reasonable doubt the number of households in a given location will exclude many tribal residents that are eligible to receive the Lifeline benefit. Finally, we questioned whether presumptive violations of the so-called one-per-household rule can be established in areas, such as in parts of the Navajo Nation, that lack a uniform system of rural addressing.

A copy of the material presented at the meeting is enclosed for the record.

Sincerely,

A handwritten signature in blue ink, appearing to be 'David LaFuria', with a stylized, sweeping flourish.

David LaFuria
Jeffrey Mitchell
Counsel for Smith Bagley, Inc.

Enclosure

cc: Kimberly Scardino, Esq.
Jamie Susskind, Esq.
Rebekah Bina, Esq.
David Siehl, Esq.
Irene Flannery, Esq.